



Atty. Dkt. No. 081356-0233

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kazuo YAMAMOTO, *et al.*
Title: CARBOHYDRATE LIBRARY CONSTRUCTED BY GENE
ALTERATION OF CARGO RECEPTORS
Appl. No.: 10/525,020
International Filing Date: 02/18/2003
Examiner: Sue Xu Liu
Art Unit: 1639
Confirmation No.: 6071

DECLARATION UNDER 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

I, Junko Shimauchi, being duly warned, hereby declare that:

1. Along with Kazuo Yamamoto, Akira Sato, and Mariko Matsumoto, I am a co-inventor named in the captioned application. I made contributions to the conception of the claimed invention, particularly in relation to "cargo receptor ERGIC-53," as described in Examples 5-7 and recited in claim 16.

2. I am the author of that certain Master's Thesis entitled "Establishment of cell line expressing various sugar chain structures by alteration of ERGIC-53," submitted to the Graduate School of Frontier Science, Department of Integrated Biosciences, The University of Tokyo ("the Master's Thesis").

3. I understand that the Examiner of the application has cited the Master's Thesis in an Office Action mailed March 13, 2006. The Examiner alleges, I understand, that the Master's Thesis anticipates claims 14-18 of the application.

4. The Master's Thesis relates research that I carried out under the guidance of Dr. Yamamoto, a named co-inventor of the application, and that is indicative of the contributions mentioned in paragraph 1, *infra*. Also contributing to conception were Mr. Sato, who likewise worked under Dr. Yamamoto's guidance, and Ms. Matsumoto, who was Dr. Yamamoto's research collaborator in this context. Thus, the disclosures of the Master's Thesis, which the Examiner has invoked in the above-mentioned Office Action, reflect an integral portion of the combined work of a collaboration by the co-inventors, leading to the conception of the subject matter claimed in the application.

5. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: July 4, 2006

Junko Shimauchi
Junko Shimauchi